

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -x

UNITED STATES OF AMERICA :

-v.- :

07 Cr. 799

RICARDO CUESADO :

:

Defendant.

:

- - - - -x

SOUTHERN DISTRICT OF NEW YORK, ss:

MICHAEL M. ROSENSAFT, being duly sworn, deposes and says that he is an Assistant United States Attorney in the Office of Michael J. Garcia, United States Attorney for the Southern District of New York; that he is in charge of the above-entitled matter; that one RICARDO CUESADO (NYSID#9459092P), the defendant, now incarcerated at the Coxsackie Correctional Facility, Box 200, Rte 9W, West Coxsackie, NY 12051-0200, has been charged in a complaint with violating Title 18, United States Code, Section 876(c).

By this application, the Government seeks a writ of habeas corpus ad prosequendum, so that RICARDO CUESADO, the defendant, can be brought before this Court to be available for prosecution in the Complaint captioned United States v. Ricardo Cuesado, 07 Mag. 799. No previous application for similar relief has been made.

WHEREFORE, your deponent respectfully prays that a writ of habeas corpus ad prosequendum issue, directing the Warden of the Cocksackie Correctional Facility, the United States Marshal for the Southern District of New York, or any other authorized law enforcement officers, including but not limited to Special Agent Kevin Ponder of the Federal Bureau of Investigation, to produce the above-named defendant to the custody of the Warden of the Metropolitan Correctional Center or the person in charge there, to be available for prosecution, as soon as the defendant is available, and to appear as necessary thereafter in that case until RICARDO CUESADO shall have been discharged or convicted and sentenced.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT, PURSUANT TO TITLE 28, UNITED STATES CODE, SECTION 1746.

/s/ Michael M. Rosensaft
MICHAEL M. ROSENSAFT
Assistant United States Attorney
(212) 637-2366

Dated: August 27, 2007
New York, New York